

# Exhibit 9

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

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WAYMO & UBER CONFIDENTIAL ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CAMERON POETZSCHER

SAN FRANCISCO, CALIFORNIA

MONDAY, JUNE 19, 2017

BY: ANDREA M. IGNACIO,  
CSR, RPR, CRR, CCRR, CLR  
CSR LICENSE NO. 9830  
JOB NO. 2642012

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Videotaped Deposition of Cameron Poetzsch,  
taken on behalf of the Plaintiffs, on June 19,  
2017, at Quinn, Emanuel, Urquhart & Sullivan, LLP,  
50 California Street, 22nd Floor, San Francisco,  
California 94111, beginning 8:59 a.m., and  
commencing at 5:17 p.m., Pursuant to Notice, and  
before me, ANDREA M. IGNACIO, CSR, RPR, CRR,  
CLR ~ License No. 9830.

1           So that's what was -- that's what drove the           15:06  
2       decision, as far as I understand it.           15:06  
3           MS. ROBERTS: Q. And, to make sure I have           15:06  
4       all of the timing correct, is it still true, up until           15:06  
5       today, that the only acquisition that Uber has been           15:07  
6       involved in, in which a forensic expert was retained           15:07  
7       to conduct due diligence, was the Otto acquisition?           15:07  
8           A As far as I'm aware.           15:07  
9           Q And, were you personally involved in any           15:07  
10      discussions about retaining a forensic expert to           15:07  
11      conduct due diligence?           15:07  
12           MR. JACOBS: You can answer that yes or no           15:07  
13      without giving details yet.           15:07  
14           THE WITNESS: Yes.           15:07  
15           MS. ROBERTS: Q. Who did you have           15:07  
16      discussions with?           15:07  
17           MR. JACOBS: You can answer that question.           15:07  
18           THE WITNESS: Our internal attorneys.           15:07  
19           MS. ROBERTS: Q. When did those discussions           15:07  
20      take place?           15:07  
21           A Sometime before the forensic expert was           15:07  
22      hired. I don't recall exactly. I believe it was           15:07  
23      before this meeting in March. So, I think it would           15:07  
24      have been January or February.           15:07  
25           Q Do you know when the forensic expert was           15:07

1 hired? 15:07

2 A No, I don't recall. 15:07

3 Q And, in the discussions in which you were 15:07

4 involved about retaining a forensic expert to conduct 15:08

5 due diligence, what was discussed? 15:08

6 MR. JACOBS: So, to the extent the 15:08

7 discussions involved requests for legal advice from 15:08

8 counsel and advice from counsel, I need to instruct 15:08

9 you not to answer those questions. 15:08

10 If there were discussions separate from that 15:08

11 kind of, "Lawyer, tell me what -- tell us what we 15:08

12 should do here," and the lawyer tells you what you 15:08

13 should do here, then you can answer the question. 15:08

14 THE WITNESS: I mean, I don't recall any 15:08

15 discussions that didn't involve that kind of attorney 15:08

16 advice. 15:08

17 MS. ROBERTS: Q. And so you can't testify? 15:08

18 A Yes. 15:08

19 Q Okay. Who decided to hire Stroz Friedberg as 15:08

20 the outside expert to conduct due diligence? 15:08

21 MR. JACOBS: I'll instruct you not to answer. 15:08

22 THE WITNESS: I won't answer. 15:08

23 MS. ROBERTS: Q. Were you involved in the 15:08

24 decision to hire Stroz Friedberg in particular as the 15:08

25 outside expert? 15:08

1 MR. JACOBS: You can answer whether you were 15:08  
2 involved in discussions about the selection of the 15:08  
3 forensic expert or not. 15:09

4 THE WITNESS: I mean, I don't recall being 15:09  
5 involved in discussions as to which forensic expert we 15:09  
6 should hire. I was involved in discussions as to 15:09  
7 whether we should hire one or not. Those discussions, 15:09  
8 as far as I can remember, took place with attorneys, 15:09  
9 you know. They were giving us advice. I don't recall 15:09  
10 at all discussing which one to hire. 15:09

11 MS. ROBERTS: Q. Were you involved in 15:09  
12 discussions about what to ask the outside expert to 15:09  
13 look into as part of its due diligence analysis? 15:09

14 MR. JACOBS: You can answer that yes or no. 15:09

15 THE WITNESS: Not that I recall. 15:09

16 MS. ROBERTS: Q. Do you know who did 15:09  
17 instruct the outside expert as to what to look into as 15:09  
18 part of its due diligence analysis? 15:09

19 MR. JACOBS: You can answer the "do you 15:09  
20 know" question. 15:09

21 THE WITNESS: I mean, I know generally who it 15:09  
22 was. I don't know particular people. I know it was 15:09  
23 the lawyers. 15:10

24 MS. ROBERTS: Q. Lawyers at Uber? 15:10

25 A Either lawyers at Uber or lawyers outside, or 15:10

1 both of them collectively. 15:10

2 Q But, you don't know specifically? 15:10

3 A I don't know specifically. I just know it 15:10

4 was some collection of lawyers. 15:10

5 Q And, once the outside expert was hired to 15:10

6 conduct the forensic due diligence report or this due 15:10

7 diligence analysis, did you have any role in that 15:10

8 analysis? 15:10

9 MR. JACOBS: You can answer that yes or no. 15:10

10 THE WITNESS: No. 15:10

11 MS. ROBERTS: Q. Did you interact with 15:10

12 the -- with Stroz Friedberg at all? 15:10

13 MR. JACOBS: You can answer that yes or no. 15:10

14 THE WITNESS: No. 15:10

15 MS. ROBERTS: Q. Did you interact with 15:10

16 lawyers -- let me start -- did you interact with 15:10

17 Uber's lawyers regarding the work that -- that Stroz 15:10

18 Friedberg was doing? 15:10

19 And I'm talking about: After they were 15:10

20 retained and got working, did you discuss what Stroz 15:10

21 Friedberg was doing with Uber's lawyers? 15:10

22 MR. JACOBS: You can have -- you can answer 15:10

23 that also yes or no. Did you engage in discussions on 15:11

24 the topic of what the forensic expert's work entailed 15:11

25 or what the results were? You can answer yes or no to 15:11

